



10-04-04

JFL

1631  
4

## CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

EV 533068738 US

September 30, 2004

USPS Express Mail Label Number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
By: Linda Matsumi

PATENT  
Customer Number: 22,852  
Attorney Docket No. 7414.0025-000000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Hugh J. PASIKA et al. ) Group Art Unit: 1631  
Application No.: 09/724,910 ) Examiner: Mahatan, C.  
Filed: November 28, 2000 ) Confirmation No. 8658  
For: METHODS, SYSTEMS, AND )  
ARTICLES OF )  
MANUFACTURE FOR )  
EVALUATING BIOLOGICAL )  
DATA )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a Final Office Action for the above-referenced application. The \$180.00 fee specified by 37 C.F.R. § 1.17(p) is enclosed.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 30, 2004

By: 

M. Paul Barker  
Reg. No. 32,013



OMB No. 0651-0011

## INFORMATION DISCLOSURE CITATION

Patent No.	7414.0025-00000	Appn. No.	09/724,910
Applicant	Hugh J. Pasika et al.	Examiner:	Mahatan, C.
Filing Date	November 28, 2000	Group:	1631

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Allex et al., Bioinformatics, 15:723-728 (1999).
	Jenson, H., Comput. Appl. Biosci., 3(4a):283-286 (1987) and Abstract.
	Pasika, H. et al., U.S. Application No. 09/911,903, filed July 23, 2001.
	Office Action mailed September 30, 2003, for U.S. Application No. 09/911,903.
	Response mailed January 30, 2004, for U.S. Application No. 09/911,903.
	Office Action mailed May 18, 2004, for U.S. Application No. 09/911,903.
	Amendment mailed September 28, 2004, for U.S. Application No. 09/911,903.

Examiner	Date Considered
----------	-----------------

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449

Patent and Trademark Office - U.S. Department of Commerce